

MAR 13 2007

Docket No. F-8028

Ser. No. 10/702,312

### REMARKS

Reconsideration of this application is respectfully requested.

The withdrawal of the claim objections because of informalities, and of the rejection of claims 1-12 based on obviousness-type double patenting, is acknowledged.

The outstanding Office Action repeats verbatim the rejection of claims 1-12 under 35 U.S.C. 102(e) made in the previous Office Action as being anticipated by Ishikawa. An argument against this position was made in the Amendment mailed September 15, 2006 that the metallic luster layer of Ishikawa, apparently assumed in the Office Action to correspond to the thermosoftening decorative print layer of applicant's claims, is not formed with a crosslinking ink as recited in the claims. However, the Office Action in the "Response to Arguments" section merely points out that middle layer 7 of Fig. 4 of Ishikawa contains a crosslinking agent and middle layer 8 may contain a crosslinking agent.

It is submitted that, regardless of the number of middle layers disclosed by Ishikawa as cross-linked, the fact remains that the metal luster layer, which is the only decorative layer disclosed by Ishikawa, is not crosslinked.

To justify this rejection, the Office Action apparently assumes that the combination of an uncrosslinked metallic luster layer and one or more middle crosslinked layers, as disclosed by Ishikawa, is the same as a single crosslinked thermosoftening decorative print layer as claimed by applicant. It is to be

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emphasized that this assumption is clearly not correct. Thus, the rejection of the claims under 35 U.S.C. 102(e) as anticipated by Ishikawa is not well-supported and should be withdrawn.

The outstanding Office Action also repeats verbatim the rejection of claims 1-12 under 35 U.S.C. 102(e) as being anticipated by Marentic, and refuses to accept the argument in the Amendment mailed September 15, 2007 that there is no disclosure in the reference of a single embodiment which includes all the elements of the claimed invention as required by 35 U.S.C. 102 and MPEP, 8<sup>th</sup> edition, Section 2131, including the statement in the cited Richardson case that "The identical invention must be shown in as complete detail as is contained ... in the claim." However, there is nothing in the Office Action, including the "Response to Arguments" section involving the Marentic rejection, which is believed to overcome this argument. Note that while the Office Action identifies several portions of the Marentic disclosure intended to support the rejection, there is no attempt to point out a single embodiment in which there is an element included within every element recited in applicant's independent claim 1. To the contrary, it is noted, for example, that none of Figures 1 to 8 of Marentic discloses an insert-molded article comprising a transparent film on the backside of which is a thermosoftening decorative print layer for the purpose of visual observation from the front surface side of the film, a binder layer printed on the thermosoftening print layer, and a resin molded by injection on the binder layer, as recited in applicant's claim 1.

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In view of the above, it is submitted that the rejection of claims 1-12 as anticipated by Marentic is not well-taken and should also be withdrawn.

This application is now thought to be in condition for allowance and such action at an early date is earnestly solicited.

Respectfully submitted,

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